

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ALAN B. MARCUS, individually and on §  
behalf of all others similarly situated, §

Plaintiff, §

VS.

J. C. PENNEY CO., INC.; MYRON E. ULLMAN, III; and KENNETH H. HANNAH,

Defendants. §

[Additional captions appear on the following page.]

Case No. 13-cv-0736 KNM

## Class Action

**MOVANT THE SASO GROUP'S NOTICE OF  
WITHDRAWAL OF ITS MOTION FOR APPOINTMENT  
OF LEAD PLAINTIFF AND LEAD COUNSEL**

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*Lead Attorney for Movant the Saso Group      Attorneys for Movant the Saso Group*

ERHAN ERDEM, individually and on	§	
behalf of all others similarly situated,	§	
	§	
Plaintiff,	§	
	§	Case No. 13-cv-0750 KNM
vs.	§	
	§	Class Action
J. C. PENNEY CO., INC.; MYRON E.	§	
ULLMAN, III; and KENNETH H.	§	
HANNAH,	§	
	§	
Defendants.	§	
 BRUCE MURPHY, individually and on	§	
behalf of all others similarly situated,	§	
	§	
Plaintiff,	§	
	§	Case No. 13-cv-0800 KNM
vs.	§	
	§	Class Action
J. C. PENNEY CO., INC.; MYRON E.	§	
ULLMAN, III; KENNETH H.	§	
HANNAH; and WILLIAM ACKMAN,	§	
	§	
Defendants.	§	
 SHAWN GILBERT, individually and on	§	
behalf of all others similarly situated,	§	
	§	
Plaintiff,	§	
	§	Case No. 13-cv-0810 KNM
vs.	§	
	§	Class Action
J. C. PENNEY CO., INC.; MYRON E.	§	
ULLMAN, III; and KENNETH H.	§	
HANNAH,	§	
	§	
Defendants.	§	

PLEASE TAKE NOTICE that the Saso Group withdraws its motion for appointment of lead plaintiff and lead counsel (Dkt. No. 21) because, based on the competing motions, the Saso Group does not appear to have the largest financial interest under 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I)(bb). This notice shall have no effect on, and is without prejudice to, the Saso Group's status as members of the proposed class and the right to share in any recovery from the resolution of this litigation through settlement, judgment, or otherwise.

If no other motion for appointment as lead plaintiff is granted, however, the Saso Group stands ready, willing, and able to represent the class as lead plaintiff.

Respectfully submitted,

Dated: December 24, 2013

**THE JACKSON LAW FIRM**

/s/ Daniel W. Jackson

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**CERTIFICATE OF SERVICE**

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system in compliance with Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and first class mail, return receipt requested.

Dated: December 24, 2013

/s/ Daniel W. Jackson  
Daniel W. Jackson